

### **REMARKS**

In the August 3, 2006 Office Action, the drawings are objected to for minor informalities, the abstract is objected to for inclusion of the term “means”, the title is objected to as not being descriptive, and claim 5 is objected to as failing to further limit the subject matter of the previous claim. Also in the Office Action, claims 1-11 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite, claims 1, 2 and 5 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,581,239 to Dyson et al., claims 1-2 and 5-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dyson et al. in view of U.S. Patent No. 2,668,979 to MacFarland, and claims 10-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dyson et al. in view of MacFarland and further in view of U.S. Patent No. 6,983,511 to Massaro. Additionally in the Office Action, claims 3 and 4 are indicated as being allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph and rewritten into independent form.

By the present amendment, claims 1, 4, 5 and 8-10 are amended, and claims 2 and 3 are cancelled, leaving claims 1, and 4-11 pending in the application with claim 1 being the sole independent claim. Each objection and rejection is addressed in detail below.

#### **Drawings**

The drawings are objected to because the reference character “125” has been used to designate both a connecting member and a suction passage. In response, the specification is amended such that reference character “125” designates only a connecting member commensurate with Figures 3 and 5. Also the drawings are objected to for failing to include reference character “200”. In response, a Submission of Replacement Drawing Sheet is submitted herewith adding reference character “200” to Figure 3.

Accordingly, Applicant requests reconsideration and withdrawal of the objections to the drawings.

#### Specification

The abstract is objected to for inclusion of the word “means”. In response, the abstract is amended to change “means” to “mechanism”. Also, the title of the invention is objected to for not being descriptive. In response, the title is amended to “Robot Cleaner With Adjustable Brush”.

Accordingly, Applicant requests reconsideration and withdrawal of the objections to the abstract and the title.

#### Claim Objections

Claim 5 is objected to as being of improper dependent form for failing to further limit the subject matter of the previous claim. In response, claim 5 is amended to clarify that the brush frame is pivotable between first and second positions wherein in the first position the brush frame pivots to contact the floor surface and in the second position the brush frame pivots and is spaced from the floor surface.

Accordingly, Applicant submits that claim 5 recites structural limitations further limiting independent claim 1. Reconsideration and withdrawal of the objection to claim 5 is therefore requested.

#### Claim Rejections – 35 U.S.C. § 112

Claims 1-11 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In response, claim 1 is amended to provide antecedent basis for “the brush cover”, claim 9 is amended to provide proper antecedent basis for “the plurality of rib members”,

claim 8 is amended to change its dependency to claim 7, and claim 10 is amended to delete the term "locking means".

In view of the amendments, Applicant submits that the claims are now definite. Therefore, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph.

Claim Rejections - 35 U.S.C. § 102

Claims 1, 2 and 5 are rejected under 35 U.S.C. § 102(e) as being anticipated by Dyson et al. In response, independent claim 1 is amended to include the limitations of allowable dependent claim 3. Accordingly, Applicant request withdrawal of the rejection under 35 U.S.C. § 102(e).

Claim Rejection - 35 U.S.C. § 103

Claims 1, 2 and 5-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dyson et al. in view of MacFarland, and claims 10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dyson et al. in view of MacFarland and Massaro. As discussed above, independent claim 1 is amended to include the limitations of allowable dependent claim 3. Therefore, Applicant requests withdrawal of the rejections under 35 U.S.C. § 103(a).

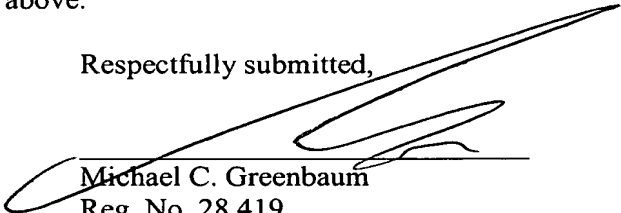
Allowable Subject Matter

Applicant acknowledges and appreciates the indication of allowable subject matter in dependent claims 3 and 4. In response, independent claim 1 is amended to include the limitations of dependent claim 3 and dependent claims 2 and 3 are cancelled.

In view of the foregoing, Applicant believes claims 1 and 4-11 are in allowable condition. Prompt and favorable treatment is respectfully solicited.

Please charge any shortage of fees or credit any overpayment thereof to BLANK ROME, LLP, Deposit Account No. 23-2185 (116511-00118). In the event that a petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this report, Applicant hereby petitions under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully submitted,



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